

Filed for intro on 02/02/95  
Senate Bill \_\_\_\_\_  
By \_\_\_\_\_

House No. HB0504  
By Wood

AN ACT to amend Tennessee Code Annotated, Title 29, Chapter 34, Part 2, relative to tort liability cases involving minor children and their parents.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. With the enactment of this statute, it is the intent of the general assembly to establish the scope of parental immunity with respect to civil actions involving minor children and their parents.

SECTION 2.

(a) No unemancipated minor shall have a cause of action for damages against that minor's mother or father except for breach of fiduciary duty where such duty exists by virtue of an express trust evidenced by a writing signed by the creator of the trust.

(b) Nothing in this section precludes:

(1) An administrative or criminal proceeding otherwise permitted by law against a mother or a father with respect to their unemancipated minor child; or

(2) An unemancipated minor from seeking and obtaining injunctive relief in connection with an action for breach of a fiduciary duty pursuant to subsection

(a).

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to any cause of action arising on or after such date.

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